

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION -FLINT

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO.: 00-CR-50058-1FL

vs.

HON. PAUL V. GADOLA
MAG. JUDGE WALLACE CAPEL, JR.

ROGER HOLMES,

Defendant.

ORDER OF DETENTION
PENDING REVOCATION PROCEEDINGS

The Defendant appeared before the Court on August 29, 2005, based upon a Petition and Warrant for violation of his conditions of supervised release, filed on August 15, 2005.

The Defendant is charged with violation of the Standard Condition by failing to appear for scheduled substance abuse counseling appointments, and failure to provide random urine specimens; violation of Standard Condition No. 7 by testing positive for the use of cocaine.

The report of the Probation Officer in this matter indicates that the Defendant began his term of supervised release on March 7, 2005. The report indicates that the Defendant is currently serving a three year supervised release term after having his previous federal probation term revoked. He is also serving a state court parole term. The report further indicates that he tested positive for the use of cocaine. He was referred to the Sacred Heart Rehabilitation Center for treatment. While attending treatment at the facility, he failed to report for two counseling sessions. He also failed to provide random urine specimens. He was ultimately discharged from the treatment program due to his non-compliance with that agency. The Defendant also was enrolled in a subsequent treatment program at Community Recovery Services. He failed to report for treatment on a number of

occasions.

Based upon the information presented at the hearing, it appears that the Defendant has continued to use illegal substances while under supervision. Furthermore, the Court finds that the Defendant poses a risk of flight due to his absconding while on supervision.

Accordingly, the Defendant shall be detained without bond in this matter pending further proceedings before the district court judge.

The Defendant is hereby remanded to the custody of the United States Marshal.

IT IS SO ORDERED.

DATED: August 31, 2005

s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2005, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send such notification of such filing to the following: Robert Haviland, AUSA, David A. Koelzer, Federal Defender Office, and I hereby certify that I have mailed by United States Postal Service/hand delivered the paper to the following non-ECF participants: United States Marshal, 600 Church St., Flint, Michigan 48502, Probation Officer, 600 Church St., Flint, Michigan 48502

s/ James P. Peltier
James P. Peltier
Courtroom Deputy Clerk
U.S. District Court
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